

Attorney Docket No.: 108-103USANA0

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Continuation Application of:

Applicants : Constantine Tsikos et al.  
Application Serial No.: 09/781,665  
Filing Date : February 12, 2001

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

**DECLARATION UNDER C.F.R. 1.53(b)**

Sir:

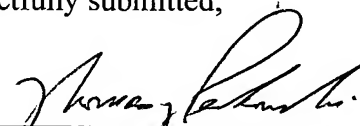
I, Thomas J. Perkowski, Esq., attorney of record in the above identified case, hereby declare and certify that the attached Xerox copy of the application is a true copy of original co-pending Application Serial No. 09/781,665 filed February 12, 2001.

The undersigned declares further that all statements made herein are his own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The present application continues prosecution of subject matter originally disclosed in co-pending Application Serial No. 09/781,665 filed February 12, 2001.

Respectfully submitted,

Dated: December 8, 2003

  
\_\_\_\_\_  
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CERTIFICATE OF EXPRESS MAIL  
UNDER 37 C.F.R. 1.10

I hereby certify that this correspondence is  
being deposited with the United States Postal Service  
on December 8, 2003  
as Express Mail (No. EL975194401US)  
in a postage prepaid envelope  
addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Phyllis Mason  
Mailer: Phyllis Mason  
Dated: December 8, 2003

**COMBINED DECLARATION OF INVENTORSHIP  
AND POWER OF ATTORNEY**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a United States Letters Patent is sought on the invention entitled "METHOD OF AND SYSTEM FOR ACQUIRING AND ANALYZING INFORMATION ABOUT THE PHYSICAL ATTRIBUTES OF OBJECTS USING PLANAR LASER ILLUMINATION BEAMS, VELOCITY-DRIVEN AUTO-FOCUSING AND AUTO-ZOOM IMAGING OPTICS, AND HEIGHT AND VELOCITY CONTROLLED IMAGE DETECTION ARRAYS", the Specification of which was filed on February 12, 2001, and assigned United States Application Number 09/781,665.

I hereby state that I have reviewed and understand the contents of the above identified Specification, including the Claims to Invention.

Under 35 USC Section 120, I hereby claim the benefit of the earlier filing date of any United States Patent Application listed below: copending Application Serial No. 09/780,027 filed February 9, 2001; copending Application Serial No. 09/721,885 filed November 24, 2000; International Application PCT/US00/15624 filed June 7, 2000, published as WIPO WO 00/75856; each said application being commonly owned by Assignee, Metrologic Instruments, Inc., of Blackwood, New Jersey, and incorporated herein by reference as if fully set forth herein.

I hereby acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including material information which became available between June 7, 2000, the filing date of prior International Application identified above, and February 12, 2001, the national filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

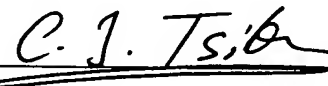
I hereby appoint Thomas J. Perkowski, Esq., Reg. No. 33,134, and Jay P. Sbröllini, Esq., Reg. No. 36,266 of Thomas J. Perkowski, Esq., P.C., of Soundview Plaza, 1266 East Main Street, Stamford, Connecticut 06902, to represent Applicants before the United States Patent and Trademark Office and to transact all business in connection with the above-referenced application, and any continuation, division and continuation-in-part applications thereof.

Please send all future correspondence in the above-referenced application to:

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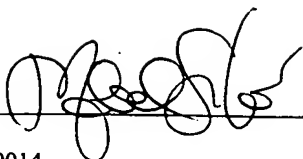
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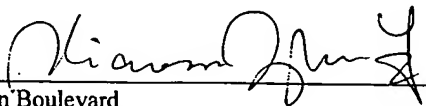
BEST AVAILABLE COPY

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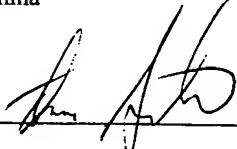
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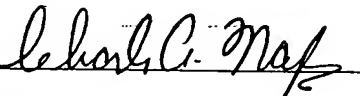
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